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Attorney for THE NESHANIAN LAW FIRM, INC., Secured Creditor

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re:

Kristina Lynn Smith

Debtor.

) Case No.: 8:24-bk-12527-SC

) CHAPTER 7

) **SECURED CREDITOR THE**
) **NESHANIAN LAW FIRM, INC.'S**
) **OBJECTION AND REQUEST TO**
) **STRIKE JEFFREY ADAMS GOMEZ'S**
) **JOINDER TO TRUSTEE'S MOTION FOR**
) **ORDER AUTHORIZING SALE OF REAL**
) **PROPERTY**

) **Date: January 15, 2026**

) **Time: 9:00 a.m,**

) **Location: 411 West Fourth Street**
) **Santa Ana, CA 92701**

) **Courtroom: 5C**

) **Request to Take Judicial Notice of In re**
) **Jeffrey Adams Gomez, US Bankruptcy**
) **Court case no. 8:23-bk-12046-TA**

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**TO THE COURT AND ALL INTERESTED PARTIES, AND THEIR COUNSEL
OF RECORD, IF ANY:**

PLEASE TAKE NOTICE that secured creditor The Neshanian Law Firm, Inc. hereby objects to Jeffrey Adams Gomez's Joinder to Trustee's Motion for Order Authorizing Sale of Real Property and request that to the extent he seeks thereby to reserve rights beyond those afforded to him in the four corners of the Stipulation to which he and Ben Heston, his counsel, ascribed to with several other creditors it be stricken for due process considerations as an inadequately noticed request for affirmative relief beyond that sought in the underlying motion.

Mr. Gomez filed for bankruptcy in the court in 2023 identifying the subject real property as his *separate property* and recognizing Amy Neshanian as a secured creditor. See ROA Items nos. 22 and 50. Thus, he has impliedly waived any right to assert that The Neshanian Law Firm, Inc.'s judgment lien against him as reflected in the Stipulation is a *community claim* that must be paid from the community estate.

Moreover, he has expressly waived his right to assert the *community claim* or his homestead exemption as to his secured creditors by the four corners of the Stipulation that he and Mr. Heston, his counsel, ascribed to with a handful of other secured creditors. Please see pg. 5, lns. 22-24 and pg. 6, lns. 6-9 of the Stipulation.

As a result, Mr. Gomez has represented that he no longer agrees to the sale of Kathy Court as set forth in the Stipulation signed by him and Mr. Heston and seeks to purport to alter the conditions of his consent to the sale to include his newly arising reservation of rights he previously waived, impliedly, or, expressly, or, both.

Simply stated, as a result of his previous admissions in his failed bankruptcy and the Stipulation, Mr. Gomez and his attorney have no probable cause to dispute the validity of The Neshanian Law Firm's judgment lien against him as his separate property debt or assert that it is a community claim to be paid from the community estate or that his homestead exception applies to sales proceeds that satisfy the judgment lien against him.

Moreover, Mr. Gomez's attempt to reserve rights beyond those afforded to him vitiates the consent of all the secured creditors who ascribed to the Stipulation regarding this sale.

1 For the reasons set forth above, as to The Neshanian Law Firm, Inc., Jeffrey Adams
2 Gomez's Joinder to Trustee's Motion for Order Authorizing Sale of Real Property is an
3 inadequately noticed request for affirmative relief feigning to merely join the Trustee's
4 underlying motion and a sham, frivolous pleading that must be stricken for due process
5 considerations and maintain order in these proceedings.

6 Dated: 1/6/2025 

7 Eric Marcus Neshanian, Attorney for
8 THE NESHANIAN LAW FIRM, INC.
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
5 Corporate Park, Ste. 250, Irvine, CA 92606

A true and correct copy of the foregoing document entitled (*specify*):

SECURED CREDITOR THE NESHANIAN LAW FIRM, INC.'S OBJECTION AND REQUEST TO STRIKE JEFFREY
GOMEZ'S JOINDER TO TRUSTEE'S MOTION FOR ORDER AUTHORIZING SALE OF REAL PROPERTY

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 01/06/2025, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

1. The Honorable Scott C. Clarkson, United States Bankruptcy Court, Central District of California, Ronald Reagan Federal Building and Courthouse, 411 W. 4th St., Ste. 5130, Courtroom 5C, Santa Ana, CA 92701-4593
2. Yosina M. Lissebeck. Dinsmore & Shohl, LLP, 655 W. Broadway, Ste. 800, San Diego, CA 92101
3. Office of United States Trustee, 411 W. 4th St., Ste. 7160, Santa Ana, CA 92701

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

01/06/2025 Eric Marcus Neshanian, Esq.
Date Printed Name


Signature